

Accelerated Misconduct Hearing Finding and Outcome

Officer Name: PC Charlie Cano

Warrant No: P253442

Date of Hearing: 10th April 2026

Alleged Standards Breached:

Authority, Respect and Courtesy, Discreditable Conduct and Equality and Diversity.

Findings

I have had the benefit of the papers in advance of today and read them carefully before the hearing started, along with viewing both the edited and unedited digital material. I am satisfied that the required notices under the Police (Conduct) Regulations 2020 have been served. These are matters which have not, in any case, been disputed before me.

The hearing was held in Public.

PC Charlie Cano did not attend the hearing, however, I am satisfied that as he was aware of this hearing as indicated through his representatives; he was served the required notice of hearing on the 25th March 2026. He was represented by Counsel, Kevin Baumber. Also present was his Federation Representative PS Elisha Hill.

The AA was represented by Counsel, Chloe Hill and Case Manager Shane Hanna.

On behalf of PC Cano a Regulation 54 response was submitted. I carefully considered the representations in advance of the hearing.

Preliminary Submissions

I heard submissions on behalf of the officer through his Counsel, Mr Baumber, that whilst PC Cano is not in a position to attend the hearing today, he is content for the hearing to proceed in his absence. It was confirmed to me, that Mr Baumber is fully instructed on all aspects of the case. Accordingly, in accordance with Regulation 57 of the 2020 Regulations, I am satisfied that I can proceed with the hearing in the absence of the officer. PC Cano is represented and full submissions can be made on his behalf.

Further, I have heard representations on behalf of the Appropriate Authority for reporting restrictions in respect of the names of the young woman and her mother who appear in the footage relied on as part of the case against PC Cano. On behalf of the officer no objections were raised. I have considered Regulation 59 of the 2020 Regulations and determined that it is appropriate for reporting restrictions to be put in place in respect of the young woman and her mother's names.

Moreover, I heard submissions on the process I should adopt in making my findings on the allegations. This case is brought under the Police (Conduct) Regulations 2020, as amended by the Police (Conduct, Performance and Complaints and Misconduct) Regulations 2025. On behalf of the officer, it is submitted that the changes brought about by the 2025 Regulations in relation to Regulation 62 of the 2020 Regulations are such that where previously the substantial decision making around whether an officer ought to be dismissed was conducted at the outcome stage *post* designation of the level it is now substantially done at the stage where the level of the breach is decided. It follows; mitigation no longer counts as relevant at the outcome stage. Therefore, it ought to be given and taken into account at the level setting stage. Accordingly, to ensure fairness an additional stage in the decision-making is now required.

It is submitted that a fair procedure would be to change from the current norm which is submissions on finding, breaches, and whether amounts to misconduct, gross misconduct, or neither; followed by mitigation and submissions on outcome to a 3-stage process, involving finding of facts at Stage 1, followed by submissions on whether the conduct amounts to misconduct or gross misconduct at Stage 2, concluding with submissions on exceptionality at Stage 3.

The Appropriate Authority do not disagree with the submissions made on behalf of PC Cano. They submit that whilst the Guidance provides for a two-stage test, it has become standard practice with the implementation of the 2025 Regulations for the four-part assessment of harm, culpability, mitigating and aggravating factors to take place at the finding stage.

I have considered the Guidance at paragraphs 12.24 to 12.35 in conjunction with Regulations 61 and 62 of the Police (Conduct) Regulations 2020 in evaluating the parties' submissions before me. I am content that the Regulations and Guidance do not prevent me from proceeding in the manner suggested by Mr Baumber and Ms Hill. Accordingly, I am of the view that it would be fair and in the interest of justice in this case to adopt a 3-Stage process as outlined by Mr Baumber.

The Hearing

I have listened to the case presented on behalf of the Appropriate Authority by Counsel. As stated already, PC Charlie Cano did not attend the hearing. However, detailed submissions were provided in his regulation 54 response and made by his Counsel, Mr Baumber.

The Allegation

The allegation against PC Cano concerns conduct reported following the broadcast of the BBC Panorama program on 1 October 2025. The program included video footage obtained covertly by an undercover BBC journalist who had been employed in the capacity of a Designated Detention Officer within the Charing Cross Police Station custody suite. Subsequent examination of additional, previously unaired footage has identified further information, which has now been brought to the attention of the Metropolitan Police Service (MPS).

During your capacity as a Police Constable, you engaged in inappropriate and disrespectful conversations regarding two female members of the public with whom you had interacted with during the course of your duties. The conversations were unprofessional and discriminatory in nature towards the individuals concerned, and you made boastful remarks concerning the use of force employed during the incident.

Such conduct is wholly inappropriate and falls significantly below the standards of professional behaviour expected of a serving Metropolitan Police Service Officer.

Particulars:

The footage captured on 4 October 2024 described the arrest of a 17-year-old female. When asked why she climbed on the bonnet of your police car, you appeared to point to your head and tap it, which may imply that you felt it was as a result of mental health issues. You also described her as “horrible, she is fucking horrible”.

Further, on 3 November 2024, you participated in a conversation with another colleague regarding a rumour that he had tasered someone in the face. You said, “why let the truth get in the way of a good story. That’s what I always say.” Your colleague stated, “I did draw my taser into somebody’s face” and “I didn’t use it as a compliance tool, I used it because I thought he had a knife.” You replied, “and that’s the story we stick to.” Your colleague is then heard to say, “and that’s the story that we stick by because that’s what my MG11 says”, you then added, “and my use of force [form].”

The footage provided by the BBC showed that during the same conversation, you began to discuss an incident involving the young woman. Within that conversation, the footage showed that you appeared to find using force against her amusing. In relation to young woman, you remarked that you had drawn your Taser but that “it didn’t look good because she was black”, so then you put your Taser away and “fly kicked her instead.”

You also noted that you removed the young woman from the police van rather roughly, saying “I got her and I literally dragged her”, you then made noises and used your finger to insinuate that she hit the floor multiple times before saying “I was like, that’s your own fucking fault then isn’t it”.

Standards of Professional Behaviour

In the circumstances, the Appropriate Authority contends that PC Cano’s actions breached the Standards of Professional Behaviour as set out in Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 (as amended by the Police (Conduct) (Amendment) Regulations 2024 and 2025, namely:

Discreditable Conduct

Authority, Respect and Courtesy

Equality and Diversity

In that his conduct may discredit the police service and undermine public confidence.

As a result of that stated herein, if proven, PC Cano's conduct amounts to gross misconduct, and his dismissal is justified.

Facts

The main issues of fact which I have to decide is whether the Appropriate Authority has proved on the balance of probabilities the allegations against PC Cano.

PC Cano revelled in the apparent use of force on detainees.

PC Cano joked about the use of force on a woman being dependent on her race.

PC Cano used inappropriate derogatory language and hand gestures about a detainee.

If these allegations are proven, then I must decide whether it amounts to breach of the following standards of behaviour:

Discreditable Conduct – Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty

Authority, Respect and Courtesy – Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Equality and Diversity – Police officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

In line with Regulation 61(7) and 61(8), I have carefully considered submissions from the Appropriate Authority and Counsel for PC Cano.

Allegation 1

In respect of this allegation, the AA submit that the hand gesture by PC Cano, namely tapping his head with two fingers, may imply that the officer felt the young woman's conduct was because of mental health issues. On behalf of the officer, it is submitted that PC Cano had no reason to believe, nor did he believe the young woman had mental health issues. The gesture he used referred to the young woman behaving very badly.

On the balance of probabilities, I find that the gesture is capable of being perceived and understood as a derogatory gesture in relation to the young woman's mental capacity.

Accordingly, it fails to treat her with fairness and respect. Therefore, I find that this conduct breaches the standards of discreditable conduct, authority, respect and courtesy, and equality and diversity.

Turning to PC Cano calling the young woman "fucking horrible". On his own admission he accepts he should not have said it. He contends the use of the language is not discriminatory nor a severe term. It made reference to her behaviour. It is asserted that members of the public are not overly sensitive to swearing and censuring the officer for the use of this language sets an unrealistic standard. The AA submit that the officer is referring to the young woman herself. It was unprofessional and lacking respect.

Whilst I accept that the use of the language was unprofessional, I do not find that it breaches any of the standards of behaviour alleged. In arriving at my decision, I have considered the case law helpfully cited by the Appropriate Authority, namely *R (Chief Constable of Northumbria Police) v Police Appeals Tribunal and Barratt (Interested Party)* [2019] EWHC 3352 (Admin). I distinguish the factual circumstances of that case with the facts at hand. First, in *Barratt* the subject officer used a whole volley of expressions, which contained vile, offensive and racist language. In relation to PC Cano's expression that the young woman was "fucking horrible", in this context, it is no more than an undesirable use of an expletive describing the conduct of the young woman as he perceived it at the time. He was venting with colleagues in a private setting. He did not at any time make such a statement towards the young woman. I accept that there are instances where a line needs to be drawn where an individual, including an officer may talk "rubbish" in private.

Allegation 2

The AA submit both officers involved in the interaction were telling seemingly exaggerated, boastful stories about their interactions with members of the public. They are both laughing about those stories, revelling in the use of force they are describing. On behalf of PC Cano it is submitted, that it is clear from the interaction that he never believed the story imparted by his colleague was true. It was gossip and an exaggeration. PC Cano contends that he attempted to call out the gossip for the nonsense it was.

I have considered the footage which shows a conversation between PC Cano and another officer in relation to the use of a taser.

While PC Cano asserts that he was challenging or disbelieving the rumour with his interjections or comments, I am entitled to assess the remarks objectively in context. In my view, the remarks demonstrate an acceptance or normalization of the use of force. The remarks were made in the presence of a junior colleague and may provide him with misleading narrative around the use of force. Any glorification of the use of force is unacceptable.

Therefore, I find that PC Cano has breached the standards of discreditable conduct, authority, respect and courtesy. However, I do not find that it amounts to a breach of the standard of equality and diversity.

Allegation 3

The AA submit that the officer is telling a story in which he exaggerates the use of force against a black woman for comic effect. On behalf of the officer, it is submitted that there was no amusement at using force. Any force use was necessary, proportionate and measured. In relation to the officer stating "it didn't look good because she was black" it is asserted that it demonstrates that the officer has shown an insight into the disproportionate use of tasers on black members of the public.

PC Cano introduces race specifically into an account surrounding his use of force and does so casually, in joking manner, appearing to make light of the disproportionality in the use of force against black people. I reject the submission that the officer has adopted this language to show his insight into a wide-spread issue that the Metropolitan Police Service has been proactively addressing. In relation to PC Cano's reference to 'fly kicking' the woman, I make it clear there is no suggestion that he has done so, again though, he glorifies the use of force in the presence of a junior officer.

Accordingly, I find that the standards of equality and diversity breached, by explicitly stating that the use of a particular policing tactic "didn't look good because she was black" the officer introduced race into a narrative of force in a manner capable of conveying that race was a relevant consideration. I also find the breach of the standard of authority, respect and courtesy proven. PC Cano's glorified actions which didn't in fact occur, such as "fly kicking" the woman. It creates the wrong impression for those more junior to him. Further, I find that PC Cano's conduct amounts to discreditable conduct. His remarks suggesting that race may affect use of force decisions, expressed in a jocular or exaggerated way, risks serious damage to public confidence.

Allegation 4

The AA advance that PC Cano told a story that bears little resemblance to the footage. He is revelling in the use of force against a young woman. On behalf of the officer, it is submitted that it was a description of force used. He was not boasting or praising himself with his actions. PC Cano was just relaying what had occurred.

I have considered the comments made by PC Cano together. In my view, they form part of a single account of the incident. I reject that the officer is merely describing events as they occurred, as the footage shows the level of force used by the officer at the time. I find that his remarks are an exaggeration and are boastful in relation to the use of force, designed to impress the junior officer present.

Therefore, I find the standard of authority, respect and courtesy breached as his words “literally dragging” lacked professional restraint, his remark “that’s your own fucking fault then isn’t it” demonstrates a lack of courtesy and empathy towards the young woman. Further, I find that the officer’s conduct amounts to discreditable conduct through use of exaggerate language, trying to concoct a compelling story, revelling in the use of force. However, I do not find that PC Cano has breached the standard of Equality and Diversity.

Decision on Finding

I have listened to the case presented by the Appropriate Authority and carefully considered the documentary and digital evidence provided to me, including the submissions on behalf of PC Cano.

Accordingly, I have found the facts proven as outlined above.

Breach of Professional Standards

I bear in mind that the burden of proving Breach of Standards rests upon the AA and that it must satisfy me on the balance of probabilities.

I am satisfied that the AA has discharged that burden and the conduct did breach the standards of professional behaviour as outlined previously.

Provisional Assessment of Seriousness

I go on to make a provisional assessment of Seriousness by reference to Culpability and Harm, mitigating and aggravating factors. I have applied Regulation 61(15) and 61(16).

The Appropriate Authority submitted that I consider the allegations individually and cumulatively. They addressing me on seriousness contend that the conduct amounts to gross misconduct as the conduct is deliberate, intentional and causes serious harm to the public. On behalf of the officer, it is submitted that I should give careful consideration to the recent legislative changes that have resulted in panels being put in a difficult position where less punitive outcomes cannot properly be considered undermining the principles in *Fuglers LLP v Solicitors Regulation Authority* [2014] EWHC 179 (Admin) [29]. Concerns about perceived lenient decision making resulted in the push for a change to the exceptional circumstances test. I was addressed on each allegation and invited to distinguish between events that occurred and did not occur, that joking about matters in private, with a view of processing events, takes away from the deliberate breaching of the standards of professional behaviour. It is suggested that the conduct is a minimal infraction considering the circumstances as whole. These are brief conversations and PC Cano's involvement is limited. The harm caused is limited, not actual or substantive. PC Cano has always done his job properly. The public would be less concerned about him joking in private about matters that did not occur.

I have carefully considered the submissions by both parties. I have come to the conclusion that I must consider the cumulative effect of the breaches of standards of professional behaviour. Whilst I acknowledge that Allegations 1, 2 and 4 may to some extent be considered less serious in nature, taking them together and alongside Allegation 3, I find that PC Cano's conduct as a whole amount to gross misconduct.

Culpability is high

PC Cano's conduct was intentional and deliberate. He was personally responsible for the words he used. They were unprompted comments. The officer was on duty, therefore in a professional setting when he made those remarks.

Harm – is high

Whilst PC Cano did not cause any direct harm, there is indirect harm to the public. PC Cano's actions cause harm to the reputation of the police. His words and actions perpetuate harmful culture within the service. It invites more junior officers to act in a manner that is unprofessional and unbecoming. It undermines public confidence in policing at a time when the police and specifically the Metropolitan Police are aiming to demonstrate how seriously it is tackling higher standards over the last few years following highly publicized and damaging incidents.

Aggravating features

I have considered that there are no additional aggravating features as I am mindful not to double count or take to consideration any factors that have already featured in my determination of culpability and harm.

Mitigating features

I acknowledge that the officer did not actually engage in the conduct he was boasting about.

Gross Misconduct

I have reminded myself that gross misconduct is a breach of the *Standards of Professional Behaviour* so serious to justify dismissal. Applying that definition, I am satisfied that the breaches of professional standards do amount to gross misconduct.

Outcome Decision

Before making my decision on outcome, I was addressed by the Appropriate Authority on PC Cano having a final written warning in place. The final written warning was issued on 19th December 2024. Accordingly, under Regulation 62 the only available outcome is dismissal without notice. On behalf of PC Cano, it is accepted that dismissal without notice is the only available recourse. I have carefully considered the officer's HR records and the finding and outcome relating to the matter for which PC Cano received a final written warning.

Personal Mitigation

I note that on behalf of PC Cano a character bundle was produced, where it is said that he is held in high regard by his colleagues. However, I am mindful of the limits to the weight I should attach to any personal mitigation as identified in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings, and that the only available outcome in this case remains dismissal without notice.

OUTCOME:

Having considered the matter fully and having regard to the nature and severity of the breach of the Standards of Professional Behaviour, as well as the mitigation, the previous sanction imposed on the officer, the sanction I impose is dismissal without notice and the officer should be placed on the College of Policing's public barred list.

Commander Andy Brittain

Metropolitan Police Service

10th April 2026